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AT&T MOBILITY LLC

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AT&T MOBILITY LLC, a limited liability
company,

Defendant.

Case No. 14-cv-04785-EMC

**STIPULATED REQUEST AND
~~PROPOSED~~ ORDER FOR A STAY OF
DEADLINES IN LIGHT OF UNITED
STATES GOVERNMENT CESSATION**

1 The Federal Trade Commission (“FTC” or “Commission”) hereby moves for a temporary
 2 stay of all deadlines in this case.¹ Defendant AT&T Mobility LLC (“AT&T”) stipulates to the
 3 FTC’s request. In support of this motion, counsel for the FTC states as follows:

- 4 1. At the end of the day on December 21, 2018, appropriations for the FTC expired. The
 5 FTC had sufficient carryover funds to continue operating through the end of day on
 6 December 28. Since then, the agency has lacked appropriated funding, and does not
 7 know when funding will be restored.
- 8 2. Absent an appropriation, FTC attorneys are prohibited from working, even on a voluntary
 9 basis, “except for emergencies involving the safety of human life or the protection of
 10 property.” 31 U.S.C. § 1342.
- 11 3. Undersigned counsel for the FTC therefore requests that the Court stay all deadlines in
 12 this case until Congress has restored appropriations to the FTC.
- 13 4. If this motion for a stay is granted, undersigned counsel will notify the Court as soon as
 14 Congress has appropriated funds for the FTC. The Commission requests that, at that
 15 point, all current deadlines for the parties be extended commensurate with the duration of
 16 the lapse in appropriations.

17 Therefore, although we greatly regret any disruption caused to the Court and the other
 18 litigant, the FTC hereby moves for a stay of briefing in this case until FTC attorneys are
 19 permitted to resume their usual civil litigation functions.

20
 21 Dated: January 9, 2019

Respectfully submitted,

22 /s/ Evan Rose
 23 Evan Rose

24 Attorney for Plaintiff
 25 FEDERAL TRADE COMMISSION

26 (The filer attests that concurrence in the filing of this document has been
 obtained from the other signatories.)

27 ¹ A case management conference statement is due in this matter on January 10, 2019, and the
 28 case management conference is scheduled for January 17, 2019. Dkt. #161.

/s/ Peter D. Marketos

Peter D. Marketos
Jeffrey M. Tillotson
Michael K. Kellogg
David L. Anderson

Counsel for Defendant
AT&T MOBILITY LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 14, 2019



HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT COURT JUDGE
NORTHERN DISTRICT OF CALIFORNIA